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REMARKS

By this amendment, claims 2, 10, 13, 15, 17, and 21 have been amended; and claims 25 and 26 have been canceled. No claims have been added.

Claims 1-24 are now pending in the application. Reconsideration and allowance of all of the claims are respectfully requested in view of the foregoing amendment and the following remarks.

Claims 2, 13, and 15 have been amended for clarity. Claim 21 has been amended to change the word "material" to the word "membrane", thereby correcting an antecedent problem. None of these amendments were made in response to the Examiner's rejections or for reasons related to patentability and no surrender of subject matter is intended thereby.

In the Office Action, the Examiner rejected claims 1-3, 5-10, 13-18, and 20-26 under 35 U.S.C. 102(b) as being anticipated by Kusche et al. (6,652,334).

The Applicant respectfully disagrees with this rejection. Kusche et al. was first published after the present application was filed and therefore cannot be used to reject the claims of present application under 35 U.S.C. 102(b).

It may be possible for the Examiner to use Kusche et al. under 35 U.S.C. 102(e). The Applicant did not investigate the invention date of the present invention to determine if such a rejection would be proper since, even if Kusche et al. could be used under 35 U.S.C. 102(e), and without admitting that it is, it does not anticipate the claims of the present application for the reasons set forth below.

Claim 1 recites, *inter alia*, "a first ring attached to the flywheel about the outer diameter thereof". Claim 10, as amended, recites, *inter alia*, "an elastomer ring having a first side attached to the outer diameter of the flywheel". Claim 17, as amended, as amended, recites, *inter alia*, "a flexible membrane disposed between the inner diameter of the ring and the outer diameter of the flywheel".

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Kusche et al., as mentioned by the Examiner in the Office Action, discloses a flywheel having an outer diameter generally indicated by reference number 26 and "an elastic ring 64 mounted on an outer surface of what is deemed part of the flywheel". The outer surface to which the Examiner is referring to is that of inner member 60 which is located internally of the flywheel. Therefore, the elastic ring of Kusche et al. is mounted internally of the flywheel, not on an outer diameter thereof, as is claimed by the Applicant. Therefore, claims 1, 10, and 17 are allowable.

Dependent claims 2, 3, 5-9, 13-16, 18, and 20-24 recite additional features of the invention and are therefore believed to be allowable for the same reasons recited above with respect to their respective base claims and for the additional features recited therein.

Claims 25 and 26 have been canceled, rendering the rejection moot.

In the Office Action, the Examiner rejected claims 4, 11, 12, and 19 under 35 U.S.C. 103(a) as being unpatentable over Kusche et al.

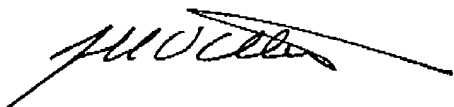
Dependent claims 4, 11, 12, and 19 recite additional features of the invention and are therefore believed to be allowable for the same reasons recited above with respect to their respective base claims and for the additional features recited therein.

In view of the above amendments and remarks, the Applicant respectfully submits that claims 1-24 are now allowable and that the entire application is in condition for allowance.

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Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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